

JOSEPH JEWETT—HEIRS OF.

[To accompany Bill H. R. No. 259.]

MARCH 2, 1860.

Mr. FERRY, from the Committee on Revolutionary Claims, made the following

REPORT.

*The Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Capt. Joseph Jewett, a revolutionary officer, report :*

That this claim was favorably reported on the 15th day of February, 1859 ; that report, with the evidence, has been re-examined, and your committee, concurring entirely with that report, adopt it, and report a bill, in all respects the same as the one reported.

Mr. CLAWSON, from the Committee on Revolutionary Claims, made the following report :

*The Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Joseph Jewett, a revolutionary officer, having had the same under consideration, report :*

That Joseph Jewett, as appears by a certificate from the comptroller of the State of Connecticut, in 1849, was a captain in Colonel Jedediah Huntington's regiment, raised January, 1776, for one year. Congress on the 8th of January, 1776, authorized the raising of nine battalions, including that of Canadians under Col. Livingston, to be kept up and maintained that year for the defence of Canada ; and one of these battalions to be raised in Connecticut, to be kept up and maintained by Congress.

The accounts in the books of the comptroller of Connecticut, shows the following, viz :

“ UNITED STATES, DR.

“ To order on treasury, Captain Joseph Jewett, for loss, Huntington's battalion, '76, £23.”

It appears from other entries in the books that, in 1775, the said Joseph Jewett was a captain in the battle at Lexington, and that his name as captain is borne on the “ pay-roll of the 8th company in the 8th regiment, raised by order general assembly of the colony of Connecticut, July, A. D., 1775.”

In the duly authenticated records of the legislative proceedings of

the State of Connecticut, in May, 1781, upon the memorial of Lucretia Jewett, the widow of said Joseph Jewett, it was shown that said Joseph Jewett went into the continental service in 1776, and was captured on Long Island, and was soon after inhumanly murdered by the enemy.

Nathan Jewett, who is certified to be a credible person, testifies that he recollects many incidents of the revolutionary war, and well recollected that his uncle, Captain Joseph Jewett, of the town of Lyme, in the State of Connecticut, was in the war of the revolution as a captain in the continental line, in Huntington's regiment; that first he went as an officer in the militia, but gave up his command there, and accepted of a commission as a captain in the continental line, and that he continued in the service until his death, in August, 1776; that he knew it to be a matter of public notoriety that he was killed while in service at the battle of Long Island, in August, 1776. That the news of his death and the manner of it very soon came home to his widow and family, and he remembered well the deep affliction it was to his family and friends. That he had often heard the subject of his death talked over by the soldiers who were with him and under him in the war, who all agreed that he came to his death as above stated, and that these soldiers went from his immediate section as enlisted men, and returned there after the war; that he remembered to have seen a journal of Captain Jewett, which was returned to his widow after his death, with some other things, but it is now lost.

Another reputable witness, Obin Raymond, testifies that he was a resident of the same town of Lyme, and recollects the incidents of the revolutionary war at the time of their occurrence, and heard of the death of Captain Jewett, who was an officer in Huntington's regiment, and he heard he was killed at the battle on Long Island, by a British officer, for refusing to give up his watch when demanded, after having delivered up his sword. That he heard it from his mother, who was a sister of Captain Jewett, and from men who were soldiers in Captain Jewett's company, and that his brother, Nathan Raymond, who was a sergeant in Captain Jewett's company, and who escaped when Captain Jewett was killed as aforesaid, returned, and died in a few days with the small-pox, and he informed the family of Captain Jewett's death.

Another credible witness, Allen W. Griffin, of the same town of Lyme, testifies that he recollects seeing Captain Joseph Jewett march out at the head of his company from the town of Lyme, and he never saw him after, and he never returned to his home and family.

Joseph F. Baker, who is certified to be a credible person, testifies that he was acquainted with Captain Joseph Jewett before he entered the army of the revolution. That he enlisted a company as their captain, and marched them off into the service of their country, from which he never returned. He was a friend and near neighbor of his before the war, and his widow continued to live there. This witness agrees with all the other witnesses as to the manner of his death, time, and place. It appears at his death he left nine small children, the issue of the marriage with Lucretia Rogers, and that she re-married prior to 1790, and died in 1836, and that Joshua R. Jewett is

the only surviving child of the said Captain Joseph Jewett and Lucretia, his widow. On this state of the facts, a claim is made upon the following resolves :

“RESOLUTION.—IN CONGRESS, *August 24, 1780.*

“*Resolved*, That the resolution of the 15th day of May, 1778, granting half-pay for seven years to the officers of the army who should continue in service to the end of the war, be extended to the widows of those officers who have died, or shall hereafter die in the service; to commence from the time of such officer's death, and continue for the term of seven years; or if there be no widow, or in case of her death or intermarriage, the said half-pay be given to the orphan children of the officer dying as aforesaid, if he shall have left any; and that it be recommended to the legislatures of the respective States to which such officer belonged, to make provisions for paying the same on account of the United States.”

A further claim was made for bounty land, under a resolution of Congress, of September 16, 1776, and disallowed, for the reason stated in the opinion of the Court of Claims, that he was killed before the passage of the resolution. In the opinion of the committee, they do not think Congress, in the exercise of their legislative authority, would discriminate in a case where the officer was slain by the enemy, as provided for in that resolution.

The first above mentioned claim for the seven years' half-pay claimed by the orphan children under the resolve of August 24, 1780, was prosecuted in the Court of Claims, and the decision of the court on this branch of the claim was, that it was barred by certain acts and resolves, called acts of limitation, and the adverse report of the Court of Claims, No. 123, on the private calendar of the House was taken up in Committee of the Whole, on the 16th day of April, 1858, and concurred in in the absence of the member who had it in charge, and was intending to move its reference to an appropriate committee of this House.

Your committee, considering the manner in which the case was disposed of, with the evidence before them that the claim is a just and meritorious one, and which has never been paid, and that Congress has for a series of years overlooked these acts of limitation and passed claims of the same character, and that there are now on the calendar of the House several cases like the present reported favorably on, they have agreed to report a bill for the seven years' half-pay and land, and recommend its passage.

